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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Chang *et al.*

Serial No.: 09/465,491

Group Art Unit: 1655

Filed: December 16, 1999

Examiner: Goldberg, J.

For: QUANTATION OF HTERT MRNA  
EXPRESSION

Attorney Docket No.: RPA 1002

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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☐ A list of all patents, publications, applications, or other information submitted for consideration by the office.
- 1b. A legible copy of :
  - ☐ Each U.S. patent application publication and U.S. and foreign patent;
  - ☒ Each publication or that portion which caused it to be listed on the PTO-1449;
  - ☐ For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;
  - ☐ all other information or portion which caused it to be listed on the PTO-1449.
- 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report.

- 1d. ☐ Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.
2. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):
- ☐ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
  - ☐ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
  - ☐ Before the mailing of the first Office action on the merits;
  - ☒ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
3. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.

*(Check either Item 3a or 3b)*

- 3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
- 3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
- ☐ enclosed
  - ☐ to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.

*(Item 3b to be checked if any reference known for more than 3 months)*

4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.

The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:

- ☐ enclosed.
- ☐ to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.

The Certification Statement in Item 5 below is applicable.

5. ☐ Certification Statement *(applicable if Item 3a or Item 4 is checked)*


*(Check either Item 5a or 5b)*

- 5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

Date: February 20, 2002

  
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## LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.

RPA 1002

APPLICATION NO.

09/465,491

APPLICANT

Chang et al.

FILING DATE

December 16, 1999

GROUP

1655

## U.S. PATENT DOCUMENTS

| *EXAMINER<br>INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|----------------------|-----------------|------|------|-------|----------|-------------------------------|
|                      |                 |      |      |       |          |                               |
|                      |                 |      |      |       |          |                               |

## FOREIGN PATENT DOCUMENTS

|  | DOCUMENT NUMBER | DATE         | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|--|-----------------|--------------|---------|-------|----------|-------------|----|
|  |                 |              |         |       |          | YES         | NO |
|  | WO 99/01560     | Jan 14, 1999 | PCT     |       |          |             |    |
|  | WO 99/40221     | Aug 12, 1999 | PCT     |       |          |             |    |
|  |                 |              |         |       |          |             |    |
|  |                 |              |         |       |          |             |    |

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

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|  | Kilian et al., "Isolation Of A Candidate Human Telomerase Catalytic Subunit Gene, Which Reveals Complex Splicing Patterns In Different Cell Types," Human Molecular Genetics, 1997, Vol. 6, No. 12, pp 2011-2019.                          |
|  | Ulaner et al., "Telomerase Activity In Human Development Is Regulated By Human Telomerase Reverse Transcriptase (hTERT) Transcription And By Alternate Splicing Of hTERT Transcripts," Cancer Research, Sept. 1998, Vol. 58, pp 4168-4172. |
|  | Copy of International Search Report From EP 00 12 7228   |
|  |  |
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EXAMINER

±  
DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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